United Nations S/2011/793

Security Council

Distr.: General
21 December 2011

Original: English

Report of the Secretary-General on children and armed conflict in Sri Lanka

Summary

The present report is the fourth report of the Secretary-General on children and armed conflict in Sri Lanka, prepared pursuant to Security Council resolutions 1612 (2005) and 1882 (2008). It covers the period from 1 February 2009 to 30 June 2011 and provides information on the prevailing situation in Sri Lanka, on the progress achieved and on compliance with commitments to end the grave violations and abuses that occurred during the final months of the conflict in early 2009. It also provides follow-up to the conclusions reached by the Working Group on Children and Armed Conflict on 13 June 2007 (S/AC.51/2007/9), 21 October 2008 (S/AC.51/2008/11) and 3 June 2010 (S/AC.51/2010/2).

The report points to advances made by the national authorities before and since the declaration by the Government of Sri Lanka that the conflict in the country had ended in May 2009. In particular, it highlights the progress achieved in separating children from Tamil Makkal Viduthalai Pulikal (TMVP) and Liberation Tigers of Tamil Eelam (LTTE) and in reintegrating them into society, as requested by the Security Council in its conclusions and as spelled out by the Special Envoy of the Special Representative of the Secretary-General for Children and Armed Conflict, Major General (retd.) Patrick Cammaert. It details the efforts undertaken by the Government with the support of the United Nations to trace children who were separated from their parents in the final stages of the conflict and addresses the need to further such efforts.

The report also discusses a number of concerns, the primary of which are the need to establish accountability for the recruitment and use of children by remnants of TMVP and to locate missing children. It outlines a series of credible allegations made by the parents of children who are missing or who were killed during the final phase of the conflict.

The report contains a series of recommendations on strengthening the commendable efforts undertaken by the Government on behalf of children formerly associated with TMVP and LTTE and encourages the Government to investigate violations and to continue to address outstanding protection issues with regard to children affected by the conflict.

11-58690 (E) 050112

Please recycle

I. Introduction

1. The present report is the fourth report of the Secretary-General on children and armed conflict in Sri Lanka, prepared pursuant to Security Council resolutions 1612 (2005) and 1882 (2008). It covers the period from 1 February 2009 to 30 June 2011 and provides information on the prevailing situation in Sri Lanka, on the progress achieved and on compliance with commitments to end the grave violations and abuses that occurred during the final months of the conflict in early 2009. It also provides a follow-up to the conclusions reached by the Working Group on Children and Armed Conflict, on 13 June 2007 (S/AC.51/2007/9), 21 October 2008 (S/AC.51/2008/11) and 3 June 2010 (S/AC.51/2010/2).

II. Political, military and social situation

2. On 19 May 2009, after announcing the death of the leader of the Liberation Tigers of Tamil Eelam (LTTE), Velupillai Prabhakaran, the Government declared victory over LTTE, signalling the end of the 26-year-long armed conflict. The first five months of 2009, which preceded the end of the war, witnessed a steady deterioration of the security situation in the north of the country. LTTE prevented civilians from fleeing the zones under its control and opened fire against those attempting to leave. During that period, the Sri Lankan security forces continued their advance into LTTE-controlled areas, establishing three "no fire zones" for the protection of civilians. As the security forces advanced and LTTE retreated, the population was displaced several times and the "no fire zones" were gradually constricted. On 21 January the "no fire zones" covered 35.5 km^2, in which at least 303,000 persons were trapped; on 12 February, approximately 300,000 persons were present within 14 km^2; and on 8 May 2009, up to 100,000 persons were trapped within a few km^2.

3. Following the end of the fighting in May 2009 and the Government's declaration that the conflict had ended, the focus turned to assisting 280,000 internally displaced persons. The internally displaced persons, an estimated 34 per cent of which were under the age of 18, were confined in camps but received food rations and access to water, sanitation and health-care services, which were provided, to the extent possible, by the Government. The majority of the internally displaced persons experienced restricted freedom of movement for eight months, until December 2009. Although as many as 41 camps had been established for internally displaced persons in 2009, the majority of the internally displaced persons were originally accommodated in the Menik Farm camp, which, at its highest capacity, sheltered at least 250,000 persons. The United Nations considered that restoring freedom of movement was a matter of urgency and that it was necessary for the Government to comply with its commitments under international law. In December 2009, the Government implemented a pass system allowing internally displaced persons in the camps to obtain permits to exit and remain outside the camps for periods ranging from 1 to 10 days.

4. The internally displaced persons were generally not allowed to leave the camps permanently until their areas of origin had been deemed by the Government to be mine-free and had been "opened" for return. Alternatively, it was possible for them to depart if they had found a host family with whom they could stay. The return process began in August 2009, and as of end June 2011, the number of

persons remaining in the camp was 11,534, 34 per cent of whom were under the age of 18.

5. During 2010, the security situation in the country stabilized, gradually moving towards early recovery. However, the need for humanitarian assistance in the north remained critical, and meeting the humanitarian needs of the internally displaced persons continued to be a challenge. In the north, particularly in the districts of Mullaittivu and Kilinochchi, which were the epicentres of the conflict, there continued to be a heavy military presence, with fixed military posts and checkpoints, and day and night patrols. Since May 2009, the re-establishment of civil administration has been slow, and many key Government officers have yet to be appointed.[1] However, according to the Government, the military presence has been gradually reduced, allowing an emergent civil administration to develop infrastructure facilities, depending on the availability of physical and human resources.

6. At the beginning of 2010, there were 109 Government child protection officers dedicated to working with a population of approximately 40,000 vulnerable children in the Vanni.[2] The number of officers slowly increased to 191 by the end of 2010, with support provided by international organizations to fill in the gaps in services. Although services for children are developing, the long-term recovery of children and their families is dependent on the economic and social rebuilding of conflict-affected areas. The lack of trained and skilled personnel poses challenges to effecting a speedy recovery and to infrastructure development in the area. In addition, employment opportunities also remain very limited in the north, and development partners tend to rely on manpower from outside the region to implement assistance projects. As a result there are fewer jobs available for locals and children have to drop out of school in order to support household incomes.

7. Throughout the reporting period, the security forces continued to recover weapons, grenades and ammunitions in the Vanni, although weapons are reported to be readily available in the eastern districts of Ampara and Batticaloa. The Government issued several deadlines for the handover of weapons or for reporting them to the security forces. The actual number of weapons collected from persons formerly associated with armed groups remains unknown.

8. On 17 May 2010, President Mahinda Rajapaksa appointed an eight-member Lessons Learned and Reconciliation Commission to report on the facts and circumstances that had led to the failure of the ceasefire agreement operationalized on 21 February 2002 and on the subsequent sequence of events that had occurred until 19 May 2009. Additionally, the Commission was tasked with determining whether any person, group or institution directly or indirectly bore responsibility for the failure and with recommending measures to prevent any repetition of negative actions in the future.[3] The Commission held public hearings in the conflict-affected districts of northern and eastern Sri Lanka and submitted a communication to President Rajapaksa in September 2010. The Government appointed an inter-agency

[1] Human Rights Commission of Sri Lanka, study on the availability of women development officers in conflict-affected areas, June 2011.

[2] The Vanni refers to an area in the Northern Province of Sri Lanka, which covers Mannar, Mullaittivu, Vavuniya and Kilinochchi districts.

[3] As of the date of the present report, the Lessons Learned and Reconciliation Commission has not yet issued its report.

advisory committee chaired by the Attorney General to follow up on the interim recommendations of the Commission. The findings of the Committee are not yet known, and the Government has indicated that the final report of the Commission was issued in the last quarter of 2011.

III. Grave violations of children's rights

A. Recruitment and use of children in armed groups

9. The last reported case of child recruitment in Sri Lanka was said to have occurred in October 2009 and concerned the Tamil Makkal Viduthalai Pulikal (TMVP).[4] There have been no other reported cases owing both to the defeat and disbanding of LTTE, responsible for the majority of the child recruitment cases reported in Sri Lanka, and to the commitments of the Government to prevent and of TMVP and its factions to cease any further recruitment of and of TMVP to release the children it had recruited.

1. Liberation Tigers of Tamil Eelam

10. Since 2002, the United Nations country-level task force on monitoring and reporting documented 6,905 children, including 2,689 girls, forcibly recruited by LTTE. Although previous access had been severely limited, access to witnesses in order to register and verify all cases of recruitment and to advocate for the release of children was no longer available after September 2008. For security reasons, the United Nations Children's Fund (UNICEF) and other partners had to temporarily relocate their operations from Kilinochchi and Mullaittivu districts on 16 September 2008 to Vavuniya since the Government had informed them that it could no longer guarantee their safety. As a result, UNICEF and task force partners were unable to receive information on and verify cases of child recruitment. There are clear indications that in the final phase of the conflict LTTE intensified the forcible recruitment of children, some as young as 9 years of age.[5] Following the end of the fighting and the subsequent screening by the Government of the internally displaced persons population, 594 children, including 201 girls, were identified throughout the north and east of Sri Lanka as having been formerly associated with LTTE.

11. Analysis shows that, at the time of recruitment, 224 children were 17 years old, 187 were 16 years old and a not insignificant number were 14 and 15 years of age.

[4] In the present report, the denomination TMVP also includes the armed branch previously known as the "Karuna faction".

[5] The field visits by the Lessons Learned and Reconciliation Commission provide a number of testimonies concerning child recruitment by LTTE in the final stages of the conflict.

Figure

Source: United Nations country-level task force on monitoring and reporting.

12. The majority of the children had been associated with the armed groups for less than one month (289 cases), although a few children had been associated for a longer period (one case of seven years, two cases of five years and two cases of four years). The whereabouts of 1,373 persons who had been recruited by LTTE when they were children remains unknown. At the present time, no prosecution of LTTE persons allegedly responsible for child recruitment has been initiated. As with data on underage recruitment collected previously, the figures provided by the task force only relate to complaints made by parents of forcible child recruitment. The actual number is most likely much greater.

2. Tamil Makkal Viduthali Pulikal, Karuna faction and Inya Bharathi group

13. Since 2006, the United Nations has documented 597 children recruited by TMVP, including 2 girls. Following the 1 December 2008 signing of the action plan between TMVP, the Government and UNICEF, progress was made, with 122 children released and a slowdown in recruitment. A total of 26 children were recruited after the signing of the action plan, with 20 children reportedly recruited between December 2008 and February 2009. Since then, there has been no evidence of regular or systematic recruitment taking place by TMVP. Nevertheless, the whereabouts of 13 boys who had been recruited by TMVP remain unknown, including 5 who were under 18 years of age at the time of the signature of the TMVP action plan. The latter are believed to remain in the control of the Inya Bharathi group.

B. Abduction of children

14. During the reporting period, no cases of conflict-related abductions were reported. However, it should be noted that all the 594 children reported to have been recruited during the final phase of the conflict between January and May 2009 had been abducted and forcibly recruited.

15. In December 2009, in response to the numerous tracing requests received, the Vavuniya Government agent and the Probation and Child Care Commissioner (Northern Province) jointly established a family tracing and reunification unit for unaccompanied and separated children, with UNICEF support. As of 30 June 2011, 2,564 tracing applications had been recorded by the unit, 676 of which related to children and 1,888 to adults. It is important to note that, according to claims made by parents, 420 of the 676 applicants were related to forced recruitment by LTTE. To date, 78 children have been matched and referred to the probation officers for tracing and verification. A total of 29 (12 males and 17 females) of the 78 children have been reunified with their family members and relatives, and the Government is providing either educational or livelihood support to those children.

C. Incidents of killing and maiming of children

16. Since the Government's declaration of the end of the conflict in May 2009, no further cases of conflict-related killings and maimings have been reported.

17. Between January and May 2009, the United Nations was able to directly verify that 264 children had been killed (including 155 boys and 109 girls) and 164 children maimed (including 96 boys and 68 girls) in the districts of Kilinochchi and Mullaittivu, based on information gathered in the internally displaced persons camps. The vast majority of the children, 97 per cent, had been maimed or killed in Mullaittivu district, and 3 per cent had been maimed or killed in Kilinochchi district. It should be noted the National Child Protection Authority, which has been consulted, has rejected that claim, but has not provided any alternative data. The Authority has requested UNICEF to provide the identities of the interviewees but has not, based on available information, undertaken an independent investigation of its own to date.

18. According to testimonies gathered during the first five months of 2009, children were killed or maimed while they were performing everyday activities outside, such as bathing, collecting water, going to the toilet, walking along the street and visiting the hospital in areas where there was activity between LTTE and the security forces. At other times, they were captured as they were looking for safe cover outside their bunkers/homes during an attack. The percentage of incidents increased significantly during the final days of the conflict, with children being hit by artillery while they were trying to flee from the crossfire between the parties. Multiple such incidents were reported on dates where very large numbers of people were attempting to cross over from LTTE-controlled areas to areas controlled by the security forces (for example, on 20 and 21 April, and on 14 and 15 May).

19. The exact number of children killed or maimed during the first half of 2009 remains unknown. In October 2010, the concluding observations of the Committee on the Rights of the Child on Sri Lanka expressed serious concern that insufficient efforts had been made by Sri Lanka to investigate the deaths of hundreds of children during the last five months of the conflict (CRC/C/LKA/CO/3-4, para. 32). A few months after the end of the conflict, the Special Envoy recognized that, although the extent of the casualties was unknown, the last phase of the conflict had resulted in heavy artillery fire between Government troops and LTTE, including within the "no fire zones", which had caused a significant number of casualties, including children. The Government has asserted, however, that it did not use heavy artillery at any

point during that time. A final report on that stage of the conflict is pending from the Lessons Learned and Reconciliation Commission.

20. In northern Sri Lanka, LTTE launched suicide attacks against fleeing civilians during the final stages of the conflict. On 9 February 2009, the Ministry of Defence claimed that a suicide attack at an internally displaced persons rescue centre, north of Visuamadu, Mullaittivu, had killed an undetermined number of civilians, including children. In the south of the country, children had also been killed as a result of the armed conflict. On 22 February 2009, the Ministry claimed that 12 people had been killed by LTTE in the village of Kirimetiya, including two children. In addition, on 12 April 2009, LTTE had allegedly perpetrated a deadly attack on civilians in Mahagodayaya, near Buttala, killing 12 civilians, including three children aged 1, 7 and 11 years of age. The National Child Protection Authority relayed a case to the United Nations country-level task force on monitoring and reporting concerning a suicide attack against the Sri Lankan Army's 58th brigade by an LTTE cadre believed to have been 13 years of age. The task force has been unable to verify the incident.

21. Children and youth remain at high risk of mine injuries and death owing to the presence of mines and unexploded ordnance. According to a Sri Lankan Army estimate, 1.6 million landmines have been laid in Sri Lanka by LTTE and Sri Lankan security forces, 366,870 of which have been identified to be cleared through military and humanitarian demining. This leaves the country with an estimated 1.23 million mines that have yet to be cleared. Surveys conducted in the Northern Province since the end of the war and existing data from the Eastern Province reveal that, as of 31 August 2010, approximately 552 km^2 have been contaminated by mines and other explosive remnants of war in the Northern Province districts of Mannar, Vavuniya, Mullaittivu, Jaffna and Kilinochchi.

22. Although numbers are relatively low, incidents of children being killed and maimed by explosive remnants of war continue to be reported in northern Sri Lanka. In 2009, the National Mine Action Centre[6] reported 19 incidents affecting 11 children (2 boys were killed, and 8 boys and 1 girl were injured). In 2010, 27 incidents were recorded, in which 21 children were affected (5 boys had been killed and 11 boys and 5 girls had been injured). During the first six months of 2011, 11 incidents had taken place and four child casualties were reported.

D. Attacks on schools and hospitals

1. Military use of schools

23. Between the end of 2008 and the beginning of 2009, 12 schools had been occupied and used by the security forces, negatively affecting the education of at least 6,000 students. The situation improved in 2010 as four schools were vacated by the security forces between January and March 2010. The schools had been used for a variety of purposes, including as barracks for the security forces, as transit sites for displaced persons who had left the internally displaced persons camps but who had been unable to return to their places of origin (mostly as a result of the

[6] The data includes deaths and injuries from victim-activated landmines (anti-personnel and anti-vehicle) and other explosive remnants of war. It does not include victims of attacks using claymore mines, improvised explosive devices or bombs.

presence of mines and explosive remnants of war) or as sites for detaining adult "separatees".[7] As of June 2011, five schools were still occupied by the military (two in Vavuniya district, two in Kilinochchi district and one in Mullaittivu district), interrupting the education of at least 2,000 students. According to the Government, one school is currently in the process of being vacated and another is in an area that is unsafe for return, owing to the presence of landmines.

2. Attacks and military use of hospitals

24. According to public communications made by the International Committee of the Red Cross (ICRC) during the final stages of the conflict to raise awareness about the humanitarian situation, the shelling of hospitals occurred during the first five months of 2009. Reported incidents included four occasions of shelling of the Puthukkudiyiruppu hospital on 1 and 2 February 2009. According to a Committee statement on 2 February, at least nine people had been killed and at least 20 others injured as a result of the first three shellings. In addition, the ICRC findings and observations were shared bilaterally and confidentially with the parties to the conflict in order to improve the situations of persons affected.

25. By the end of June 2011, one hospital and one community health centre remained occupied by the Sri Lankan Army.

E. Grave sexual violence

26. The number of reported incidents indicated below is a combination of events that occurred before and after the 2009 displacement. Many reports have recently come to light. Protection monitoring and participatory assessments suggest that many gender-based violence incidents were not being reported since the displaced and resettled population felt uncomfortable discussing incidents which they felt brought shame onto themselves and their families and communities, and/or might bring retribution against their families. However, reporting of gender-based violence has improved somewhat owing to an extensive network, developed in 2009, of various actors in the internally displaced persons sites, in districts and at hospitals, including the establishment of police desks dealing with women and children, particularly in the Vavuniya internally displaced persons sites. This does not apply to the areas of return in the Vanni, where the presence of Tamil-speaking female officers remains extremely limited, notably in the desks dealing with women and children and, more generally, among probation officers, social services officers, public health staff, United Nations agencies and non-governmental organizations. However, the Government affirms that awareness programmes are being carried out to empower the community to prevent such incidents. This has included the mobilization of female police officers at the desks dealing with women and children to work in "welfare" villages adjacent to their districts. This has also included the mobilizing of women development officers in the Ministry of Child Development and Women's Affairs to work with the internally displaced persons.

27. According to the Department of Probation and Child Care Services and district child development committees, a total of 215 sexual violence incidents involving

[7] Persons identified by the security forces as having been formerly associated with LTTE but not formally charged.

children were reported in 2009 in northern and eastern Sri Lanka, and in 2010, 359 cases of sexual violence against children were recorded. According to the Government, those figures are comparable with figures in other parts of the country.

F. Denial of humanitarian access for children

28. During the first months of 2009, the population inside the conflict zone was displaced multiple times and experienced dwindling supplies of food and basic materials, coupled with high levels of insecurity and little access to humanitarian assistance.[8] LTTE continued to prevent civilians, including children, from leaving the Vanni for Government-held territory until the end of the conflict. In January 2009, the numbers of internally displaced persons included 15 United Nations national staff and 85 of their dependants who were trapped in the "no fire zone". On 22 January 2009, the United Nations issued a statement calling on LTTE to allow for the freedom of movement of civilians trapped in the conflict zone, including United Nations staff and their dependants.[9] The statement was not heeded.

29. Before the final stages of the conflict in 2009, the space for humanitarian activity was reduced as a result of intensified fighting in the north, which caused a substantial influx of internally displaced persons into emergency sites. An accelerated release process from the camps began in the second half of 2010, with the return of internally displaced persons to their districts of origin. Some returned to their homes, while others awaited durable solutions to their displacement and resided with host families or in public buildings.

30. At the end of June 2009, orders were issued by the Ministry of Defence to all commanders of the security forces requiring new clearances to be issued for humanitarian access by all United Nations agencies, international organizations, international and national non-governmental organizations to the conflict areas. The orders included a strict requirement for such clearance, including for any movement to the north by all agency staff and vehicles and within the north by United Nations staff already based there. The presidential task force for resettlement, development and security in the Northern Province[10] officially requested the United Nations not to work with international non-governmental organizations and non-governmental organization partners although it subsequently made exceptions to the directive for some sectors. The process affected various sectors, such as protection, and some livelihood activities. Widespread access by United Nations agencies to the conflict areas improved, although controlled access for non-governmental organizations was restored in early August 2010. However, the presidential task force approval requirement remains in force for implementing assistance programmes in the north. The approval requirement has resulted in delays that have affected, to a considerable extent, the implementation of activities at a critical time in the return process of displaced persons and have had a direct impact on child protection. Child protection projects aimed at supporting communities to prevent, identify and respond to

[8] Office of the United Nations High Commissioner for Refugees, "Sri Lanka", in *UNHCR Global Report 2009: New Threats, New Challenges* (June 2010).

[9] UN News Centre, "UN calls on Tamil rebels to ensure free passage for body's staff".

[10] Created by presidential directive on 7 May 2009. The task force was given authority to prepare strategic plans, programmes and projects to resettle internally displaced persons, and rehabilitate and develop economic and social infrastructure in the Northern Province.

vulnerabilities and issues affecting children were not approved and, as a result, a number of partnerships have been rescinded. However, it should be highlighted that on 1 February 2011, a joint plan for assistance for the Northern Province was signed. It included provisions for child protection implementation through Government institutions. The joint plan assisted in opening up space for humanitarian activity to a degree.

31. Protection monitoring in internally displaced persons sites was not initially authorized by national authorities. When later permitted by the Government, it was at times limited because of restrictions imposed by national authorities on discussions with internally displaced persons and on holding meetings with them. The International Committee of the Red Cross was denied access to the Vavuniya rehabilitation sites after mid-July 2009. It closed its offices in eastern Sri Lanka on 17 July 2009, in accordance with the request of the Government. This had an adverse impact on its activities and on its ability to access the displaced population in those districts.

32. During the reporting period, civil society groups working at the grass-roots level with communities on issues of human rights and child protection experienced increasingly restricted access to affected areas, and their capacity to monitor situations of concern was increasingly limited. The link between Government bodies and civil society weakened significantly.

IV. Dialogue and action plans to redress violations of children's rights

A. Tamil Makkal Viduthali Pulikal

33. Substantial progress was made on the tripartite action plan (TMVP, Government of Sri Lanka and UNICEF) signed in December 2008, with 122 children released and reduced recruitment of children by TMVP. Implementation of the action plan continued throughout the reporting period, with a strong focus on determining the whereabouts of the five outstanding cases, and the reintegration of all of the released children.

34. In June and July 2010, the senior district police officer (District Inspector General) held a meeting with Inya Bharathi, the person allegedly responsible for the recruitment of some of the children and who is currently the Sri Lankan Freedom Party Special Coordinator for Ampara district. The aim of the meeting was to advocate for progress on the release of the children who reportedly remained with his group, and the outstanding cases were discussed in detail. However, other than a commitment to cooperate, no concrete information was obtained by law enforcement authorities. On 30 August 2010, upon the request of the Ministry of External Affairs, the National Child Protection Authority and its special police investigation team conducted a preliminary investigation to determine the whereabouts of the five boys who were reported to have been abducted and forcibly conscripted by TMVP, specifically by Inya Bharathi.

35. The initial investigation, completed on 14 January 2011, constitutes an important attempt to establish the fate of the missing children but does not, as yet, shed light on their whereabouts. This is despite the fact that, according to the report

of the Special Envoy on his mission to Sri Lanka in February 2008, the abductions by the then-Karuna faction occurred in Government-controlled areas. The report also pointed to the fact that the children had spent time in one of several camps of the then-Karuna faction near the town of Welikanda (Polonnaruwa district), located in a Government-controlled area. In addition, the investigation did not yield evidence concerning the involvement of Inya Bharathi or of his connections to the recruitment or abduction of the missing children, but mentioned that a person who called himself "Carder" had carried out the abduction, along with some accomplices. "Carder" was reported to have stated in public that he had shot and killed the boys. Upon further investigation, the National Child Protection Authority police found that "Carder" was an alias and that he had been a former member of LTTE. Karuna had been part of LTTE until it had broken away in 2004 and established TMVP. When talking to local people in the area, the police assigned to the National Child Protection Authority discovered that "Carder" had been involved in illegal and criminal activities, such as abductions for personal monetary gain. He was reported to have had access to money despite having no fixed occupation. There were rumours that he had demanded a ransom from the parents of the boys on the telephone, but the accuracy of this has not been determined. One of the boys who had disappeared had phoned his mother one-and-a-half years after his disappearance and had said that he was in a house in a jungle. Another was recognized eight months after his disappearance by his parents, who had spotted him in a crowd at a public meeting that was broadcast on a local television channel. This information requires verification.

36. The National Child Protection Authority report did not refer to child recruitment in any of its sections but spoke only of forcible abduction of the children, which lowers the level of criminal responsibility. The report concluded with a recommendation that possible further investigations should be carried out on the basis of information provided by the families of the missing boys as well as by former LTTE member "Carder". The report further recommended that death certificates should be issued for such persons, which, in accordance with Sri Lankan law, can be administered only once a person has been missing for over seven years. However, the boys had been abducted and last seen between 2006 and 2009, which is at most five years ago. Subsequent to the investigation, the Secretary of the Ministry of Justice initiated an investigation by the Criminal Investigations Department to follow up the report, ascertain details regarding the abducted boys and identify the perpetrators. The Department subsequently confirmed the facts revealed in the investigation, although no action has been taken against "Carder" to date.

37. The Secretary of the Ministry of Justice held several meetings in Batticaloa with the District Inspector General for Batticaloa, local police officials, a Government agent, local district officials and the magistrate on the issue. It is reported that Inya Bharathi has denied the allegations and continues to do so. As a follow-up to the National Child Protection Authority report, the Secretary of the Ministry of Justice also contacted the Inspector General of Police and initiated a further investigation by the Criminal Investigations Department under the direction of the director (legal) of the police department. The investigation is ongoing. The investigators have met National Child Protection Authority officials to apprise themselves of the details of the initial investigations undertaken by the Authority. To date, no prosecutions have been initiated against persons allegedly responsible for child recruitment.

B. Government of Sri Lanka

38. In 2009 and 2010, the Government of Sri Lanka made clear advances in relation to setting up structures and policies to support its obligations in relation to children associated with armed groups. Two major developments occurred during the period covered by the present report: the implementation of the tripartite action plan signed in December 2008 (as reported above in section IV.A) and the implementation of the emergency regulation issued in December 2008.

39. In 2006, the Government issued an emergency regulation to criminalize offences related to terrorism and to make provisions for the treatment of persons involved in terrorist activities or transactions in the name of national security. The legislation did not include any special provisions for children, but this was resolved, as a result of intensive advocacy and a long, long drafting process, with the issuance of regulation 1580/5 dealing with children formerly associated with armed forces or groups. International organizations and advocacy groups have repeatedly highlighted the shortcomings of the legislation, both in its formulation (including the issue of instituting a de facto administrative detention and not clearly ruling out the possibility of prosecution) and in its implementation (rehabilitation centres are not fully managed by the civilian administration system and are not easily accessed by families in some instances). Nevertheless, regulation 1580/5 has produced important and concrete results in the protection of children associated with armed groups. It clearly caters to children as victims of recruitment instead of criminalizing them for their association with armed groups. As a result, the Government decided in 2008 not to prosecute any child under the age of 18 for "terrorism-related crimes". Family links have been preserved as much as possible and, in general, children have been able to be visited by their parents and to keep in touch with them by mail or telephone. Last, but not least, regulation 1580/5 has afforded children the protection of a legal framework that directly involves the magistrate, who is the only person legally responsible for decisions regarding their rehabilitation.

40. Three rehabilitation centres were established in Sri Lanka: the Ambepussa rehabilitation centre (Kegalle) opened in March 2008 and closed on 15 November 2009, having hosted over 200 children; the Poonthotam Rehabilitation Centre (Vavuniya) opened in July 2009 and closed in April 2010, having hosted 289 children; and the Ratmalana Rehabilitation Centre (Colombo) opened in September 2009 and closed in May 2010, having hosted 255 children. In keeping with regulation 1580/5, the children in the rehabilitation centres received health care, medical examinations, psychosocial counselling, when needed, family visits, physical care and sustenance, assistance in getting identification cards and other documents to which they are legally entitled, and basic education and vocational training. The United Nations had access to the centres, which were under the purview of cadet officers, although there were also a number of civilians who provided education and care. As of 25 May 2010, all children had completed their rehabilitation process and had been released through a magistrate's court order.

V. Visit to Sri Lanka of the Special Envoy of the Special Representative of the Secretary-General for Children and Armed Conflict

41. As announced by the Special Representative of the Secretary-General for Children and Armed Conflict in July 2009, and upon the invitation of the Government of Sri Lanka, Major General (Ret.) Patrick Cammaert visited Sri Lanka from 5 to 11 December 2009 in the capacity of Special Envoy of the Special Representative of the Secretary-General for Children and Armed Conflict. The visit aimed at assessing the impact of the armed conflict on children in Sri Lanka and following up the recommendations of the Working Group. The visit contributed to maintaining the issue of rehabilitating children formerly associated with armed groups firmly on the agenda and to giving an increased focus to the impact of the armed conflict on children, including in regard to such issues as family separation and support for vulnerable families returning to conflict-affected areas.

VI. Need for accountability measures for violations committed against children

42. On a number of occasions, echoing the conclusions of the Working Group on Children and Armed Conflict, the United Nations has emphasized to the Sri Lankan authorities the need to take stock of the use of children as child soldiers and of other abuses committed against children during the conflict. Only with an appropriate process of accountability can reconciliation take place and future violations be deterred. The suffering of the children of Sri Lanka must be well documented as part of the long road to peace in Sri Lanka. The Office of the Special Representative of the Secretary-General on Children and Armed Conflict and all United Nations partners stand ready to assist in such an exercise.

VII. Follow-up and programmatic response to violations

43. In May 2010, all 594 children formerly associated with armed groups identified by the Government at the end of the conflict had completed their rehabilitation process and had returned to their families and communities. For 2010, and continuing into 2011, the plan has been to provide reintegration assistance to 1,108 children (including the 562 who underwent the Government rehabilitation process); 55 per cent of them have already received assistance in the form of education, vocational training or livelihood support. The remaining 45 per cent will be reached by the end of 2011. In line with regulation 1580/5, the Department of Probation and Child Care Services is continuing to monitor the children.

44. In addition to highlighting the limited employment opportunities that exist, the monitoring has showed that at least 250 children formerly associated with armed groups in the north and east of the country are facing a number of security issues. Such issues include being requested to report regularly to nearby military/police posts, visits by military and police/intelligence staff to their houses, arrests by the police, and being required to report and sign in at local military or navy posts before leaving their administrative divisions of residence. Positive steps were taken by the office of the Commissioner General for Rehabilitation in March 2011 to resolve the

issues, such as meeting with some of the children and clearly informing them and their families about what constitutes normal procedure and what constitutes abuse of power. However, close monitoring of and consultation with the children after the meeting has demonstrated that surveillance has often continued and, in some cases, has intensified. In a certain number of cases, former "surrendee" children have been required to receive authorization in order to move out of their place of origin, resulting in the possibility of missed education and job opportunities and running counter to the reintegration goals of normalizing the life of a child formerly associated with an armed group. The Government has claimed, however, that the children are not under any form of surveillance by either the Government or its armed forces.

45. Since 2009, mine-risk education activities have been conducted and are ongoing both in areas of displacement and of return in the districts of Jaffna, Vavuniya, Mannar, Mullaittivu and Kilinochchi. Mine-risk education was conducted in collaboration with national non-governmental organizations and volunteers, the Ministry of Education and the Sri Lankan Army/Humanitarian Demining Unit, reaching 252,953 persons in 2009 and 392,540 in 2010. In March 2010, 64 staff of the Humanitarian Demining Unit were trained on mine-risk education and started conducting related activities. As of the end of March 2011, over 1,400 items of unexploded ordnance had been identified and reported.

46. On 22 December 2009, the Government established a family tracing and reunification unit for unaccompanied and separated children in Vavuniya (Northern Province). As of the end of December 2010, 646 requests to trace missing children had been filed by parents and families. A total of 26 children were traced and are undergoing the process of reunification. Verification of an additional number of cases is in progress. In 2010, unit efforts in this regard included developing a plan to undertake tracing activities in hospitals, children's homes and police posts in all of the nine provinces across Sri Lanka.

47. The physical, emotional and social needs of children displaced multiple times by the conflict in early 2009 are extensive. Children faced recruitment and injury; they witnessed family and friends dying or being injured and experienced significant loss and family separation. To respond to those needs, in 2009 the Ministry of Social Services and Social Welfare deployed trained counsellors to work in the internally displaced persons camps, although in limited numbers. The counsellors were able to provide support and give referrals to more specialized medical services, when needed. Humanitarian actors stepped in to support and enhance the capacity of the communities to better protect themselves and their children and respond to their needs. In 2009, about 200 child friendly spaces were established, covering up to 70 per cent of children in the internally displaced persons camps. Volunteers in those areas conducted play activities (music, dance and drama), provided basic psychosocial support and identified vulnerable children. They also provided awareness on child protection issues to prevent child exploitation, abuse and neglect.

VIII. Recommendations

48. In the light of the above, the Government of Sri Lanka is urged to:

(a) Investigate, as part of national reconciliation, any allegation of violations and abuses against children perpetrated in contravention of applicable national and international law, by all parties during the armed conflict, and ensure that those responsible for the violations are held accountable;

(b) Ensure effective implementation of its "zero tolerance" position on child recruitment, including systematic and vigorous investigations for every reported case, past and present, followed by prosecutions and convictions of responsible perpetrators. The Government should complete the investigation undertaken by the inter-ministerial committee on the complicity between the security forces and TMVP/Karuna in the abduction and recruitment of children;

(c) Expedite follow-up to the National Child Protection Authority report on Inya Bharathi, into whom a Criminal Investigations Department investigation is ongoing and seek to determine why the children cannot be located;

(d) Expedite the vacating of all schools and health-care facilities currently being used to host adult "surrendees" or being used by the military and fully restore their educational and health-care functions;

(e) Strengthen a coordinated and comprehensive child-tracing network in the former conflict areas of the country, launch an investigation to establish the whereabouts of all children who were recruited, including those who are now over 18 years of age and whose fate remains unknown, and continue to facilitate full access by the United Nations and its specialized partners to information sources and allow them full freedom of movement in the north of the country;

(f) Prioritize re-establishing, in collaboration with relevant civil society organizations, child protection services for children affected by the conflict, including psychosocial support, community-based support and social infrastructure, for which the United Nations would be willing to provide assistance;

(g) Plan and develop a comprehensive post-conflict action plan for children that comprehensively addresses outstanding protection and psychosocial issues, with a focus on various groups of children with special needs, including, but not limited to, former children associated with armed forces and groups, formerly displaced children and children who have lost one or both parents in the conflict.

United Nations S/2011/794

Security Council

Distr.: General
22 December 2011

Original: English

United States of America: draft resolution

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan and South Sudan, and in particular, resolution 1990 (2011) and resolution 2024 (2011),

Reaffirming its commitment to the principles of sovereignty and territorial integrity; and to peace, stability and security throughout the region,

Affirming the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement,

Reaffirming its previous resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict, 1612 (2005), 1882 (2009), 1998 (2011) on children and armed conflict, 1502 (2003) on the protection of humanitarian and United Nations personnel, and 1325 (2000), 1820 (2008), 1888 (2009), and 1889 (2009) on women peace and security,

Recalling the commitments made by the Government of Sudan and the Government of South Sudan in the 20 June Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, the 29 June Agreement Between the Government of the Sudan and the Government of Southern Sudan on Border Security and the Joint Political and Security Mechanism, and the 30 July Agreement on the Border Monitoring Support Mission Between the Government of Sudan and the Government of South Sudan,

Welcoming the 9 October meeting of the Presidents of Sudan and South Sudan, and the intentions they expressed to resolve their disputes by peaceful means,

Stressing that both countries will have much to gain if they show restraint and choose the path of dialogue instead of resorting to violence or provocations,

Commending the continued assistance provided to the parties by the African Union High Level Implementation Panel and its chair President Thabo Mbeki, Ethiopian Prime Minister Meles Zenawi, Special Representative of the Secretary-General Haile Menkerios, and Head of Mission for the United Nations Interim Security Force for Abyei (UNISFA) Lieutenant General Tadesse Werede Tesfay,

Noting the continued readiness of the United Nations and the international community to assist the parties in establishing and implementing mutual security arrangements in support of the objectives of the Comprehensive Peace Agreement,

Commending the rapid deployment of UNISFA to the Abyei Area and the efforts of the United Nations and the Government of Ethiopia in that regard,

Please recycle

Urging the Government of Sudan and the Government of South Sudan rapidly to conclude negotiations with the United Nations on a Status of Forces Agreement,

Bearing in mind the importance of coherence of United Nations assistance in the region,

Welcoming and *encouraging* efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all of its peacekeeping operations,

Deeply concerned by all acts of violence committed in the Abyei Area against civilians in violation of international humanitarian law and human rights law including the killing and displacement of significant numbers of civilians,

Stressing the need for effective human rights monitoring,

Welcoming the meeting of the Abyei Joint Oversight Committee (AJOC) on 13 December, which reaffirmed the urgency of facilitating the delivery of humanitarian assistance to all affected communities in the Abyei area,

Deeply concerned with the continued presence of military and police personnel from Sudan and South Sudan in the Abyei Area, in violation of the 20 June Agreement, which poses a threat to the safe migration of Misseriya nomads and the return of Ngok Dinka refugees to their homes and prevents UNISFA from implementing fully its mandate,

Concerned by delays in the establishment of the Abyei Area Administration,

Noting the lack of progress in establishing the Abyei Police Service, including a special unit to deal with particular issues related to nomadic migration,

Concerned with delays in the clearance of landmines in the Abyei Area, which hinders the safe return of internally displaced persons to their homes,

Expressing its determination that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the CPA and not by the unilateral actions of either party, and *calling upon* all parties to engage constructively in negotiations towards the final agreement on the status of Abyei,

Deeply concerned by the reported build-up of armed forces of Sudan and South Sudan near their mutual border and inflammatory rhetoric from both sides, which increases the risk of direct confrontation between them,

Recognizing that the current situation in Abyei and along the border between Sudan and South Sudan constitutes a threat to international peace and security,

1. *Decides* to extend, for a period of 5 months, the mandate of the United Nations Interim Security Force for Abyei (UNISFA) as set out in paragraph 2 of resolution 1990 (2011) and modified by resolution 2024 (2011), and acting under Chapter VII of the Charter of the United Nations, the tasks set out in paragraph 3 of resolution 1990;

2. *Recognizes* that UNISFA's ability to carry out effectively its mandate will depend on the fulfilment by the Governments of Sudan and South Sudan of the commitments agreed between the two parties and with the United Nations;

3. *Demands* that the Governments of Sudan and South Sudan redeploy all remaining military and police personnel from the Abyei Area immediately and without preconditions, and urgently finalize the establishment of the Abyei Area Administration and the Abyei Police Service, in accordance with their commitments in the June 20 Agreement;

4. *Urges* the Government of Sudan and the Government of South Sudan to make use of the Joint Political and Security Mechanism to resolve outstanding issues related to finalization of the Safe Demilitarized Border Zone, the resolution of disputed border areas, border demarcation, and the mapping of the border zone;

5. *Calls on* all Member States, in particular Sudan and South Sudan, to ensure the free, unhindered and expeditious movement to and from Abyei and throughout the Safe Demilitarized Border Zone of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft, and spare parts, which are for the exclusive and official use of UNISFA;

6. *Urges* the Government of Sudan and the Government of South Sudan to cooperate fully with each other, and provide full support to UNISFA, enabling it to fully implement the mandate;

7. *Requests* the Government of Sudan and the Government of South Sudan to facilitate the deployment of the United Nations Mine Action Service as well as the identification and clearance of mines in the Abyei Area;

8. *Calls upon* the Government of Sudan and the Government of South Sudan urgently to fulfil their commitment under the CPA to resolve peacefully the final status of Abyei, and calls upon them to consider in good faith proposals the African Union High Level Implementation Panel shall make to resolve this matter;

9. *Urges* all parties involved to provide humanitarian personnel with full safe and unhindered access to civilians in need of assistance and all necessary facilities for their operations, in accordance with applicable international humanitarian law;

10. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out, and the results included in his reports to the Council, and *calls upon* the Government of Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end;

11. *Requests* the Secretary-General to take the necessary measures to ensure full compliance of UNISFA with the United Nations zero tolerance policy on sexual exploitation and abuses and to keep the Council informed if cases of such conduct occur;

12. *Stresses* that improved cooperation between the Government of Sudan and Government of South Sudan is also critical for peace, security and stability and the future relations between them;

13. *Requests* the Secretary-General to continue to inform the Council of progress in implementing UNISFA's mandate in 60 day intervals, and continue to bring to the Council's immediate attention any serious violations of the above referenced agreements, and to look for and implement ways to strengthen inter-mission cooperation within the region;

14. *Decides* to remain actively seized of the matter.

United Nations S/2011/795

Security Council

Distr.: General
22 December 2011

Original: English

First report of the Secretary-General pursuant to paragraph 6 of resolution 1956 (2010)

I. Introduction

1. The present report is submitted pursuant to paragraph 6 of Security Council resolution 1956 (2010), in which the Council requested me to provide written reports to it on an ongoing basis, every six months, with the first report due no later than 1 January 2012, about the United Nations Compensation Fund, evaluating continued compliance with the provisions of paragraph 21 of resolution 1483 (2003).

II. Assessment following the 30 June 2011 transition to a post-Development Fund mechanism

2. It is recalled that in the 29 April 2011 report of the Government of Iraq to the Security Council pursuant to paragraph 4 of resolution 1956 (2010) on progress towards the transition to a post-Development Fund for Iraq mechanism (S/2011/290), the Government of Iraq confirmed that it would continue to use the same mechanism established pursuant to resolution 1483 (2003) for the transfer of the 5 per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas from Iraq to the Compensation Fund because it considered the mechanism to be transparent and because it would ensure that Iraq would be able to continue to meet its obligations as provided for in paragraph 21 of resolution 1483 (2003). The Government of Iraq also reported that it would consult the United Nations Secretariat on in kind payments of export sales of petroleum, petroleum products and natural gas from Iraq, with a view to finding a transparent mechanism to ensure that the equivalent of 5 per cent of such transactions is deposited into the Compensation Fund pursuant to paragraph 3 of resolution 1956 (2010).

3. As the authority for the arrangements ensuring that payments are made to the Compensation Fund, the Governing Council of the United Nations Compensation Commission has been actively monitoring the developments following the expiration of the mandate of the International Advisory and Monitoring Board for Iraq on 30 June 2011 and the transfer of the oversight of the control, reporting and use of Iraqi oil export revenues to the Iraqi Committee of Financial Experts.

11-65006 (E) 291211

Please recycle

4. At the meeting between the Executive Head of the secretariat of the Compensation Commission, the Controller of the United Nations and the Committee of Financial Experts in early July 2011, the Head of the Committee reaffirmed that the arrangements for the transfer of 5 per cent of the proceeds from all export sales of petroleum, petroleum products and natural gas from Iraq would remain unchanged. The issue of non-monetary payments of export sales of petroleum, petroleum products and natural gas from Iraq was also discussed, and both the Executive Head and the Controller stressed that if Iraq will be engaging in such transactions, a proper accounting mechanism must be put in place to ensure that 5 per cent of the value of such transactions is recorded and an equivalent amount transferred to the Compensation Fund. The Compensation Commission reiterated this position on 24 August 2011 in response to an enquiry from the Government of Iraq, and again on 20 October 2011, in a letter to the Committee of Financial Experts following the seventy-second session of the Governing Council. The Commission is awaiting confirmation from the Committee of Financial Experts that such a mechanism has been put in place.

5. With regard to the issue of arrangements for ensuring that payments are made to the Compensation Fund, the Governing Council of the Compensation Commission noted with satisfaction, at the conclusion of its seventy-second session in October 2011, that since the transfer of the oversight function to the Government of Iraq, there has been no change in the mechanism and that payments continue to be transferred to the Compensation Fund through the Federal Reserve Bank of New York. The Governing Council also directed the Executive Head to continue to regularly engage with the Committee of Financial Experts regarding all payment and accounting mechanisms and to keep the Governing Council advised of any developments.

6. Prior to the transfer of the oversight function from the International Advisory and Monitoring Board for Iraq to the Committee of Financial Experts, the average monthly income to the Compensation Fund for the first half of 2011 was $319.3 million. The average monthly income for the five months following the transfer was $341 million, with a total of $1.3 billion transferred in the quarter following the transition and approximately $1 billion expected in the final quarter of 2011. Since the transition, the Compensation Commission has made two payments to Kuwait of more than $1 billion each; the first was made on 28 July 2011 and the second on 27 October 2011. The next payment is scheduled for 26 January 2012.

7. While all the indicators are positive and suggest that the Government of Iraq is compliant with its obligations under paragraph 21 of resolution 1483 (2003), only after an audit has been conducted on the successor account to the Development Fund for Iraq will it be possible to confirm this conclusion. In this regard, it is noted that the Committee of Financial Experts has appointed the firm of Ernst & Young to conduct the 2011 audit of the Development Fund for Iraq and its successor account.

8. I would like to conclude by expressing my appreciation to the Government of Iraq, including its Committee of Financial Experts, for its maintenance of the mechanism for the transfer of the 5 per cent of oil proceeds established pursuant to resolution 1483 (2003) and its continued cooperation with the Compensation Commission.

United Nations S/2011/796

Security Council

Distr.: General
22 December 2011

Original: English

Letter dated 20 December 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the assessment of the work of the Security Council during the presidency of Lebanon in September 2011 (see annex). The document was prepared under my own responsibility, following consultations with other members of the Council.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Nawaf **Salam**
Ambassador
Permanent Representative

11-65070 (E) 060112

Please recycle

Annex to the letter dated 20 December 2011 from the Permanent Representative of Lebanon to the United Nations addressed to the President of the Security Council

Assessment of the work of the Security Council during the presidency of Lebanon (September 2011)

Introduction

Lebanon assumed the presidency of the Security Council in September 2011, during which the Council was engaged in a comprehensive programme that addressed a range of issues, including: non-proliferation (Security Council Committee established pursuant to resolution 1737 (2006)), Cyprus, Liberia, the Sudan and South Sudan, Libya, Sierra Leone, the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, Somalia, Haiti, the United Nations Interim Administration Mission in Kosovo (UNMIK), the maintenance of international peace and security/conflict prevention, the Middle East, including the Palestinian question, and Afghanistan.

On 2 September, the Council held consultations and adopted its programme of work for September 2011. After the consultations, the President of the Council gave a briefing for non-members of the Council and for the press about the programme of work.

During the month, the Council held 20 formal meetings, 3 of which were held in private. The 17 public meetings included six briefings and three debates. The Council also held 13 informal consultations, adopted six resolutions and one presidential statement, and issued four press statements.

Africa

Liberia

On 7 September, the Council held a private meeting with the countries contributing troops and police to the United Nations Mission in Liberia (UNMIL). The Special Representative of the Secretary-General and Head of UNMIL, Ellen Margrethe Løj, gave a briefing, which was followed by a question-and-answer session and exchange of views.

On 13 September, the Council held a briefing on the situation in Liberia, during which the Special Representative of the Secretary-General and Head of UNMIL reported on the work of the Mission. She stated that the holding of free, fair and peaceful presidential and legislative elections in Liberia on 11 October would provide an opportunity to consolidate peace in the country. She emphasized that it was the responsibility of all Liberians to ensure the success of the elections and the irreversibility of peace in their country.

The Permanent Representative of Jordan and Chair of the Liberia configuration of the Peacebuilding Commission, Prince Zeid Ra'ad Zeid Al-Hussein, participated in the meeting. He explained the progress achieved by the Commission in such areas as the rule of law and security sector reform, and

underlined the urgent need for support in other important areas, such as the judiciary and national reconciliation.

The Minister for Foreign Affairs of Liberia, Toga Gayewea McIntosh, also participated in the meeting and noted that his country had seen eight years of unbroken peace. He added that the upcoming elections would test whether or not the Liberian people were capable of conducting fair, transparent and peaceful elections. He underlined the major contributions made by UNMIL to peacebuilding in Liberia, and appealed to the Council to be cautious when discussing the Mission's drawdown.

In the consultations that followed, Council members welcomed the progress made by Liberia, especially in the preparations for elections in October 2011. They expressed the view that the success of those elections, and the peaceful inauguration of a new Administration, would be critical to the consolidation of the progress that Liberia had achieved over the past eight years. They also expressed their support for continuing security sector reform and the capacity-building of judicial and security institutions, and expressed concern about the challenges confronting Liberia, such as ethnic and communal tensions, disputes over land, drug trafficking, high levels of unemployment among young people, and the impact of refugee flows to Liberia caused by the crisis in Côte d'Ivoire. Some Council members noted that a technical assessment mission was expected to visit Liberia after the inauguration of the elected Government in 2012 to develop detailed proposals for the next stages of the drawdown of UNMIL.

On 16 September, the Council adopted resolution 2008 (2011), by which it extended the mandate of UNMIL for 12 months.

Libya

On 9 September, the Council held consultations on Libya and was briefed by the Secretary-General's Special Adviser on post-conflict planning for Libya, Ian Martin. The Special Adviser reported that the initial priority of the United Nations in Libya after the fall of Tripoli was to address humanitarian needs by providing water, food and medicine, in addition to the evacuation of foreign nationals. He stated that the Libyans had requested assistance in bringing about security sector reform and preventing the proliferation of weapons. He expressed the hope that a United Nations mission would be established to provide support for Libya in the six areas identified by the Secretary-General in a letter addressed to the Council.

Council members discussed ways in which to address the crisis. Some members welcomed the expansion of the National Transitional Council to make it more representative, and called for the amendment of sanctions to meet the needs of the Libyan people and ensure the safety of a mission. Other members called for an immediate ceasefire and the start of political dialogue, and expressed concern about reports concerning the disappearance of anti-aircraft missiles and the proliferation of weapons in Libya, which might affect the security of neighbouring countries.

On 16 September, the Council adopted resolution 2009 (2011), by which it established the United Nations Support Mission in Libya (UNSMIL), under the leadership of a Special Representative of the Secretary-General for an initial period of three months.

On 26 September, the Council heard a briefing on the situation in Libya, during which the Under-Secretary-General for Political Affairs, Lynn Pascoe, reported that on 19 September, the Secretary-General had appointed Ian Martin as his Special Adviser on post-conflict planning for Libya. He said that reconciliation, arms control, transitional justice and the welfare of migrants were a few of the many challenges facing the country's transitional authorities. He added that the three-month mandate given to UNSMIL offered an opportunity to provide immediate assistance and advice to the National Transitional Council. Regarding arms proliferation, the Under-Secretary-General for Political Affairs stated that it was imperative that the National Transitional Council and the international community establish control over the large stockpiles of sophisticated weapons amassed by the Qadhafi regime, including ground-to-air missiles, and added that the falling of those weapons into terrorists' hands would pose a serious threat to the region.

The Council was also briefed by the Permanent Representative of Portugal, José Filipe Moraes Cabral, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya. He noted that by resolution 2009 (2011), the Council had relaxed some sanctions. He added that the Committee had requested the Panel of Experts on Libya to look both "backwards and forward" when investigating incidents of non-compliance with the sanctions, and to build a cooperative relationship with the new authorities as well as with UNSMIL.

The Chair of the Executive Office of the National Transitional Council, Mahmoud Jibril, participated in the meeting and made a statement. He thanked the Council for adopting two historic resolutions which contributed to protecting the lives of thousands of innocent civilians, and expressed his appreciation for the partial unfreezing of funds. He appealed to the Council to lift the freeze completely, as the situation that it had been intended to counter no longer existed. As for the rights of migrant workers and other groups, he stated that any abuses or vengeful acts were contrary to the policy of the National Transitional Council. He noted that strong army and police force were needed in order to maintain peace and stability in Libya.

In the consultations that followed, Council members underlined the importance of maintaining stability and respecting the sovereignty of Libya, and expressed flexibility regarding the proposal to lift the freeze on Libyan assets, but without haste. Some members expressed their concern about the security situation in Libya and the proliferation of weapons, particularly chemical weapons, and highlighted the key role that the United Nations and the League of Arab States needed to play in Libya.

Sierra Leone

On 12 September, the Council heard a briefing on the situation in Sierra Leone. The Executive Representative of the Secretary-General and Head of the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL), Michael von der Schulenburg, briefed the Council and stated that Sierra Leone was achieving economic and social development in a peaceful and stable environment. He added that as Sierra Leone approached the 2012 general elections, it was important to build on that progress, consolidate peace and avert the resurgence of tensions and civil war.

The Permanent Representative of Canada, Guillermo Rishchynski, participated in the meeting in his capacity as Chair of the Sierra Leone configuration of the Peacebuilding Commission. He stated that he considered Sierra Leone to be a success story, and emphasized the need for all stakeholders to engage in an open and productive high-level dialogue as the country prepared for the 2012 elections.

The Minister for Foreign Affairs of Sierra Leone, Joseph Dauda, also participated in the meeting and delivered a statement. He said that his Government remained committed to conducting peaceful, free, fair and credible elections in 2012, and to enhancing the participation of women in politics.

In the consultations that followed, Council members commended the progress made in Sierra Leone, and indicated that they considered the achievements in the areas of peacebuilding consolidation and socio-economic development to be a testimony to the efforts of UNIPSIL and the Government to promote national cohesion. Council members expressed their continued support for Sierra Leone in its efforts to conduct credible, fair, peaceful and democratic elections in 2012, and called on all parties to work together in creating favourable conditions for the electoral process. Council members commended the progress made in maintaining peace, stability and development, expressed their concern about the challenges confronting Sierra Leone, including youth unemployment, illicit drug trafficking, organized crime, corruption and national capacity-building, and called upon the international community to continue to provide support and assistance to Sierra Leone. They also expressed support for the Peacebuilding Commission and UNIPSIL for their work in the country.

On 14 September, the Council adopted resolution 2005 (2011), by which it extended the mandate of UNIPSIL for 12 months.

Somalia

On 14 September, the Council held a debate on the situation in Somalia. The Special Representative of the Secretary-General for Somalia, Augustine Mahiga, briefed the Council and presented the report of the Secretary-General. He explained the positive developments achieved in the humanitarian situation in Somalia, as a new district in the Bay region had been declared a famine-free zone on 5 September, but he cautioned that difficult times still lay ahead. He also informed the Council that the African Union had held its first-ever pledging conference on 25 August, raising $350 million in cash and in kind, and he appealed to the international community to address the whole challenge of drought in the Horn of Africa.

The Special Representative noted that the peace process had taken a great step forward and stated that "The game has fundamentally changed", as the long-awaited consultative meeting on ending the transition had been convened from 4 to 6 September in Mogadishu, and the situation in the capital had improved following the withdrawal of Al-Shabaab two months earlier. He also reiterated his call to all armed groups to renounce violence and join the peace process, and warned that extremists were likely to resort to terrorism. He stated that the Government needed assistance in order to extend the territory under its control and to fill the vacuum left by the withdrawal of Al-Shabaab. He added that African Union Mission in Somalia (AMISOM) and Government forces must be equipped to respond to those threats.

The Special Representative of the Chair of the African Union Commission for Somalia, Boubacar Gaoussou Diarra, also addressed the Council and expressed his appreciation for its invaluable support in creating an environment in Somalia conducive to the provision of humanitarian aid. He expressed the support of the African Union for the Kampala Accord and appealed to the Council to reiterate its commitment to authorize a peacekeeping operation in Somalia to replace AMISOM.

The Prime Minister of the Transitional Federal Government of Somalia, Abdiweli Mohamed Ali, also addressed the Council. He explained that Somali security forces were overextended, and called on international partners to help his Government to enlarge and improve the security and police forces. He reiterated his Government's commitment to place priority on security, reconciliation and good governance, in accordance with the Kampala Accord and the road map adopted in Mogadishu, with the hope of establishing a permanent Government by August 2012.

Council members welcomed the signing of the Kampala Accord and the adoption of the road map to end the transition. They stressed the importance of political will on the part of the Somalis to accomplish the tasks on time, with the support of the international community. They also called for accountability and transparency on the part of leaders in that regard, and commended the role of AMISOM and its troop-contributing countries. They expressed deep concern about the impact of famine on the Somali people, and highlighted the importance of international efforts to combat piracy off the coast of Somalia.

On 30 September, the Council adopted resolution 2010 (2011), in which it authorized the States members of the African Union to maintain the deployment of AMISOM until 31 October 2012, and requested the Union to increase its force strength to 12,000 personnel.

Sudan and South Sudan

On 8 September, the Council held consultations on the Sudan and South Sudan, during which the Assistant Secretary-General for Peacekeeping Operations, Edmond Mulet, briefed the Council about the progress in the process of liquidating the United Nations Mission in the Sudan, the security situation in Abyei, and the progress made in the deployment of the United Nations Interim Security Force for Abyei (UNISFA). The briefing also covered the ongoing post-Comprehensive Peace Agreement negotiations between the Sudan and South Sudan, including the finalization of border management agreements.

The Deputy Director of the Coordination and Response Division of the Office for the Coordination of Humanitarian Affairs, Philippe Lazzarini, updated the Council on the humanitarian situation in South Kordofan and Blue Nile State.

The Head of the United Nations Mission in South Sudan, Hilde Johnson, briefed the Council by videoconference on the situation in South Sudan and the progress made in the start-up of the Mission.

Council members expressed their support for the three United Nations missions in the Sudan and South Sudan, and welcomed the mediation efforts of President Mbeki. They urged all parties to stop fighting, to facilitate access to humanitarian aid, and to settle their differences through dialogue. Some Council members called on the parties to find a solution for the Abyei region by

implementing the agreement reached by the Sudan and South Sudan in Addis Ababa on 30 July, and to seek the assistance of UNISFA for border control.

On 29 September, the Council held consultations during which the Permanent Representative of Colombia, Néstor Osorio, in his capacity as Chair of the Committee established pursuant to resolution 1591 (2005) concerning the Sudan, presented to the Council the 90-day report on the work of the Committee, which covered its activities from 21 June to 29 September 2011. Council members exchanged views on the activities of the Committee and expressed support for its work.

Asia

Afghanistan

On 21 September, the President of the Council issued a statement to the press condemning the terrorist attack that had occurred in Kabul on 20 September, causing the death of Burhanuddin Rabbani, Chair of the Afghanistan High Peace Council. Council members reiterated their commitment to support the Government of Afghanistan in its efforts to advance the peace and reconciliation process, and their determination to combat all forms of terrorism.

On 29 September, the Council held a debate on the situation in Afghanistan, during which the Special Representative of the Secretary-General and Head of the United Nations Assistance Mission in Afghanistan (UNAMA), Staffan de Mistura, briefed the Council. He stated that there was no alternative to a political solution, and stressed the need to seize the window of opportunity for dialogue and reconciliation that existed, despite the recent killing of Mr. Rabbani, who had been leading national reconciliation talks. The Special Representative also expressed his concern about the high number of civilian casualties and called for more efforts to protect civilians.

The Minister for Foreign Affairs of Afghanistan, Zalmai Rassoul, stressed that the reconciliation process would continue despite the loss of Mr. Rabbani. He added that regional and international support was needed if the process was to succeed. He stated that his country looked forward to the Istanbul conference in November 2011 and the Bonn conference in December.

Council members welcomed and expressed support for the role of UNAMA. They condemned the assassination of Mr. Rabbani and underlined the importance of the continuation of the reconciliation process, as well as the successful transition to full Afghan responsibility and ownership. They also expressed their concern about the security situation, particularly with regard to the protection of civilians.

The situation in the Middle East, including the Palestinian question

On 27 September, the Council heard a briefing on the situation in the Middle East, including the Palestinian question. The President of the Council of Ministers of Lebanon, Najib Mikati, presided over the meeting and made brief introductory remarks in his national capacity.

Mr. Mikati stated that the "winds of change" in the Middle East had ushered in a "Palestinian spring" that had led to the formal submission by Palestine of an

application for membership in the United Nations. He called for an Israeli withdrawal from all Arab lands, as laid out in the Arab Peace Initiative. He condemned the attacks against the United Nations Interim Force in Lebanon (UNIFIL), reaffirmed the commitment of Lebanon to the implementation of resolution 1701 (2006), and called on Israel to end its violations of Lebanese sovereignty. He reaffirmed the commitment of Lebanon to respect all international resolutions, including those related to the Special Tribunal for Lebanon.

The Under-Secretary-General for Political Affairs briefed the Council. He stated that it was not easy to chart a way forward, as the Palestinian and Israeli positions remained far apart. He added that the efforts of the Quartet and the expected proposals of the parties could help to resume negotiations. He summarized the Quartet statement of 23 September, explaining that the goals would be to make substantial progress within six months, to convene an international conference in Moscow at the appropriate time, and to reach an agreement no later than the end of 2012. He reaffirmed that settlements were illegal and contrary to the road map commitments of Israel, and condemned the rocket attacks fired into Israel from Gaza. The Under-Secretary-General referred to the Palestinian application for membership in the United Nations. He noted that the matter was before the Council and underlined the institutional readiness of the Palestinian Authority to run a State.

The Under-Secretary-General for Political Affairs stated that the situation in the UNIFIL area remained generally stable. He noted that the freedom of movement of the force had been impeded in an incident on 13 September that had resulted in minor injury to a UNIFIL soldier. He added that Israeli violations of Lebanese airspace continued on an almost daily basis.

With regard to the situation in the Syrian Arab Republic, the Under-Secretary-General for Political Affairs stated that the political and human rights crisis had escalated in the country and had resulted in at least 2,700 deaths since March 2011. He added that the polarization continued to deepen between the Syrian regime and a growing popular opposition that continued to organize protests across the country. He noted that on 15 September, a coalition of Syrian opposition leaders had announced the formation of the Syrian National Council.

In the consultations that followed, Council members called on the Palestinian and Israeli sides to refrain from taking unilateral actions that might jeopardize the peace process. Some Council members supported the application of Palestine for full membership in the United Nations, and stressed the need to stop all settlement activities and resume negotiations. Some members voiced their opposition to the application of Palestine, and stressed that the two-State solution could be achieved only through direct negotiations.

With regard to the Syrian Arab Republic, some Council members called on the Council to assume its responsibilities, as the Syrian regime continued to use repression and violence against peaceful demonstrators. Other Council members expressed their concern that the direction of the crisis in the country appeared to be towards civil war. These members called for a cautious approach and voiced their refusal to resolve the existing problems in the Syrian Arab Republic through the imposition of sanctions, citing the need to resolve them through dialogue and reform.

Concerning Lebanon, Council members welcomed the affirmation by Mr. Mikati that Lebanon would respect its obligations under the relevant international resolutions, including those related to the Special Tribunal for Lebanon, and expressed support for the efforts of UNIFIL and the Lebanese army in maintaining security and stability.

Yemen

On 26 September, the President of the Council issued a statement to the press on the situation in Yemen, expressing grave concern at the continued deterioration in the economic, humanitarian and security situation in the country, including the threat from Al-Qaida. They also urged all sides to reject violence and to show maximum restraint. They called on all parties to move forward urgently in an inclusive, orderly and Yemeni-led process of political transition, on the basis of the Gulf Cooperation Council initiative.

Europe

Cyprus

On 7 September, the Council held consultations on Cyprus during which the Special Adviser of the Secretary-General on Cyprus, Alexander Downer, briefed members on the status of the negotiations in the country and on the Secretary-General's good offices in that regard.

Council members welcomed the engagement of the Secretary-General and the efforts of his Special Adviser in moving forward the negotiations between the leaders of the Greek Cypriots and the Turkish Cypriots.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

On 15 September, the Council heard a briefing on UNMIK, during which the Assistant Secretary-General for Peacekeeping Operations reported about the rising tension in northern Kosovo. He described the events that had begun on 25 July regarding the management of Gates 1 and 31, and appealed to the parties to maintain calm, to refrain from unilateral actions and overheated rhetoric, and to commit themselves to reconciliation, dialogue and peace. He emphasized that UNMIK would continue to work closely with the parties to calm the situation.

After the briefing, Council members continued their discussions in a private meeting, with the participation of the Minister for Foreign Affairs of Serbia, Vuk Jeremić and Enver Hoxhaj of Kosovo.

In the consultations that followed, Council members continued to exchange views on the situation in Kosovo.

On 28 September, the Council held consultations on UNMIK. The Assistant Secretary-General for Peacekeeping Operations briefed the Council on the sequence of events that had taken place around Gates 1 and 31, which had led to several injuries among the personnel of the International Security Force in Kosovo and civilians. Council members exchanged views about the situation.

Americas

Haiti

On 14 September, the Council held a private meeting with the countries contributing troops and police to the United Nations Stabilization Mission in Haiti (MINUSTAH). The Special Representative of the Secretary-General and Head of MINUSTAH, Mariano Fernández, briefed the Council on the situation in Haiti and on the work of the Mission. The Special Representative exchanged views with the representatives of participating countries.

On 16 September, the Council held a debate on the question concerning Haiti, during which the Special Representative of the Secretary-General and Head of MINUSTAH stated that Haiti had witnessed a historic event in the peaceful transfer of power from one democratically elected President to another from a different political party; however, he cautioned that the transition was not without difficulties. He outlined the challenges facing Haiti, including slow reconstruction, high food and fuel prices, and a continuing cholera epidemic. He stated that the security situation in the country was calm but fragile, citing the assassination of a MINUSTAH sergeant in Port-au-Prince as an example of security challenges. He stressed that MINUSTAH needed to remain active in ensuring national security, and underlined that the peacekeeping operation in Haiti was not a long-term development agency, but a means to create the environment needed for sustainable and lasting peace. He added that further progress in Haiti depended on the generation of political will and on continuing international support.

Council members noted the improvement in the humanitarian situation in Haiti, and called for the redoubling of efforts to house the thousands of internally displaced people still in camps. They stressed that continued international engagement was necessary to ensure that all pressing humanitarian needs were met. They described the recent democratic process in Haiti as a historic step that could foster political stability, and stressed that it was imperative that all stakeholders make the necessary concessions so that the Government could lead the reconstruction and socio-economic development efforts, and reinforce the capacities of the Haitian State and people. Most Council members expressed agreement with the Secretary-General's recommendation that the mandate of MINUSTAH be extended for one year, with a partial reduction in the military and police forces that the Council had authorized following the earthquake.

Other issues

Briefing by the Department of Political Affairs

On 15 September, the Council held consultations during which the Under-Secretary-General for Political Affairs briefed members on the situations in Iraq, Libya and Yemen.

With respect to Iraq, the Under-Secretary-General said that the Secretary-General had appointed Martin Kobler of Germany as his Special Representative for Iraq and Head of the United Nations Assistance Mission for Iraq (UNAMI). He added that the Iraqi Government had decided to close Camp Ashraf, whose residents included supporters of Mujaheddin e Khalq, and stated that deporting them to their

home country raised genuine concern for the United Nations. He also pointed to the importance of finding a solution to the ongoing problems between Iraq and Kuwait, including border demarcation and prisoners.

Council members expressed their support for the appointment of the Special Representative for Iraq and stated that the situation remained unstable. They stressed that it was important that Iraq respect its international commitments and obligations, especially those related to finding solutions to the outstanding problems with Kuwait, including borders and refugees.

With regard to Yemen, the Under-Secretary-General for Political Affairs stated that the situation in Yemen was complex, that the humanitarian situation was becoming very difficult, and that the security situation continued to deteriorate as tension escalated in the north of Sana'a between the Republican Guard and some tribes opposed to the regime of President Ali Abdullah Saleh. He added that President Saleh had not signed the accord proposed by the Gulf Cooperation Council. He stated that the Special Adviser to the Secretary-General for Yemen, Jamal Benomar, would return to the country to continue his efforts.

Council members urged all sides in Yemen to show maximum restraint and to reject violence, and called on all Yemeni parties to start an inclusive dialogue. They expressed the view that the way forward was through a Yemeni-led process of political transition that met the needs and aspirations of the Yemeni people for change. They also welcomed the efforts of the good offices of the Secretary-General.

Concerning Libya, the Under-Secretary-General for Political Affairs expressed concern regarding the spillover effect of the crisis in Libya on its neighbours, such as Algeria, Mali, Mauritania and the Niger, especially the fact that the extensive armoury sites belonging to the Qadhafi regime lay abandoned or the armouries had gone missing. He added that the number of those migrating to Europe through Libya had doubled during the Libyan crisis. He also underlined the importance of post-conflict reconstruction in Libya, and of the promotion of democratic institutions, the rule of law and human rights.

Council members expressed concern about the wide spread of arms in Libya, and called for the disarmament of armed groups so that the proliferation of arms would not create instability within and outside the country.

Admission of new members

On 26 September, the Council held consultations on the application of Palestine for admission to membership in the United Nations. Council members agreed to hold a formal meeting on 28 September in order to decide on the referral of the application of Palestine to the Committee on the Admission of New Members for examination and report.

In the course of the consultations, differing views were expressed. Many Council members stated that the applicant fulfilled all the criteria for membership set out in the Charter, and that the question of the recognition of the Palestinian State should not be subject to the outcome of negotiations between Palestinians and Israelis. Other members questioned whether the applicant met all of the Charter membership requirements, and stated that the two-State solution through a

negotiated settlement remained the only option for a long-term and sustainable peace.

On 28 September, the Council held a public meeting and had before it the application of Palestine. The Council decided to refer the application to the Committee on the Admission of New Members for examination and report.

Non-proliferation (Islamic Republic of Iran)

On 7 September, the Council heard a briefing during which the Permanent Representative of Colombia, Néstor Osorio, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1737 (2006), reported to the Council on the work of the Committee from 24 June to 1 September 2011. Council members commended the efforts of the Committee in carrying out its mandate, and emphasized their commitment to a comprehensive and long-term solution to the Iranian nuclear issue.

Maintenance of international peace and security

On 22 September, the Council held a high-level meeting on the maintenance of international peace and security, with a focus on conflict prevention. The President of Lebanon, Michel Sleiman, presided over the meeting, which was also attended by five other Heads of State or Government (Colombia, Gabon, Nigeria, South Africa and Portugal), seven Ministers for Foreign Affairs (Bosnia and Herzegovina, Brazil, China, France, Germany, India and the United Kingdom of Great Britain and Northern Ireland), the Permanent Representative of the United States of America (in her capacity as a member of the United States Cabinet) and the Permanent Representative of the Russian Federation.

The Secretary-General participated in the meeting and gave a briefing in which he introduced his report on preventive diplomacy. He stated that political will was fundamental if preventive diplomacy was to deliver results, and emphasized that the United Nations had always sought to strengthen preventive diplomacy. He also explained how United Nations missions were daily carrying out preventive diplomacy in various parts of the world, and underlined that the Council could do much to address emerging threats, whether or not they were on the Council's agenda. He concluded that better preventive diplomacy was not an option, but a necessity.

Members of the Council highlighted the importance of preventive diplomacy for the maintenance of international peace and security, with many pointing out that timely and efficient prevention was more cost-effective than reactive response following the outbreak of violence. They also underlined that it was important that the United Nations strengthen its partnerships with regional organizations and fully utilize their political and geographic advantages to actively engage them in preventive diplomacy initiatives. Some members expressed the view that the entanglement of threats required that early warning systems be developed and fully utilized. They recognized the importance of optimizing the use of preventive tools, including mediation, and expressed the view that a comprehensive approach to prevention required that the root causes of conflict, including their socio-economic aspects, be addressed.

At the end of the meeting, the Council adopted a presidential statement in which it expressed its determination to enhance the effectiveness of the United Nations in preventing the eruption of armed conflicts, their escalation or spread when they occur, and their resurgence once they have ended.

International Criminal Tribunal for Rwanda and International Tribunal for the Former Yugoslavia

On 14 September, the Council unanimously adopted resolution 2006 (2011), by which it reappointed Hassan Bubacar Jallow as Prosecutor of the International Criminal Tribunal for Rwanda for a term with effect from 15 September 2011 until 31 December 2014, and resolution 2007 (2011), by which it reappointed Serge Brammertz as Prosecutor of the International Tribunal for the Former Yugoslavia for a term with effect from 1 January 2012 until 31 December 2014.

Threats to international peace and security caused by terrorist acts

Terrorist attack in India

On 7 September, the President of the Council issued a statement to the press condemning the terrorist attack that had occurred in Delhi, India, on the same day, causing numerous deaths and injuries. The Council reiterated its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter of the United Nations.

Tenth anniversary of the terrorist attacks of 11 September 2001

On 9 September, the Council issued a statement to the press on the tenth anniversary of the terrorist attacks of 11 September 2001, condemning those heinous attacks and expressing the deepest sympathy and condolences to the victims of terrorism and their families.

United Nations S/2011/797

Security Council

Distr.: General
27 December 2011
English
Original: Arabic

Identical letters dated 23 December 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

On the morning of Friday, 23 December 2011, the capital of Syria, Damascus, was subjected to two terrorist attacks that were perpetrated by two suicide bombers in two booby-trapped cars carrying more than 200 kilograms of explosives. The targets of the attacks were two Government institutions located in areas where there were many passers-by. More than 50 persons were killed, including soldiers and innocent civilians, and more than 200 were wounded. Buildings in the vicinity, including an orphanage, sustained damage, as did passing and stationary vehicles: there were therefore extensive material losses.

Those two terrorist suicide explosions constitute a new escalation that affirms the involvement of Al-Qaida in the events that are taking place in Syria. There are clear indications that extremist terrorist groups, some of which are linked to Al-Qaida, were involved in the planning and implementation of terrorist operations that have recently targeted civilians, soldiers and State institutions in Syria. Information is circulating about extremist Libyan elements that belong to Al-Qaida who have entered Syria through its borders with neighbouring countries. That information has been confirmed in the course of field investigations that have been carried out by major international media organizations and by public statements made by the leaders of those elements, which have been broadcast by the media. Furthermore, in a statement on 20 January 2011, the Minister of Defence of Lebanon confirmed reports of operations to smuggle into Syria arms and certain terrorist elements that belong to Al-Qaida, who claimed to be from the Syrian opposition. Those movements took place through illegal crossing points between Lebanon and Syria and, in particular, in the Irsal region on the Lebanese border.

The Permanent Mission of the Syrian Arab Republic to the United Nations has scrupulously continued to update you, by means of several letters, official statements and bilateral meetings held by the Permanent Representative of Syria to the United Nations, on the comprehensive reform programme that is currently being implemented in Syria. We have also affirmed that terrorist groups are taking advantage of the demands for reform legitimately being made by the Syrian people, to which the Syrian leadership has made a direct response in the form of the

Please recycle

ongoing reform programme. We have made it clear that there is documented evidence of foreign attempts to undermine stability and security in Syria, particularly through the provision of money, arms and media and logistical support to those armed terrorist groups that abduct and kill citizens, rape women, plant explosives on roads and in densely populated areas, obstruct public highways and randomly strafe public and private institutions with rocket-propelled grenades. That has emerged in the course of the interrogation of many of the persons who have been apprehended for smuggling arms into Syria, as has the existence of organized networks that smuggle arms across the borders to terrorists within Syria. Those terrorists have received enormous quantities of arms from agents, funders and smugglers in certain neighbouring States. We notified you to that effect in the letter we addressed to you on 12 November 2011, to which were annexed lists of the names and nationalities of the aforementioned persons and the type and quantity of arms with which they were apprehended. That letter was issued as document S/2011/707, and in Annex II thereto, we noted that one of the most important sources of support for the armed terrorist gangs in Syria, as uncovered in the course of the pursuit of terrorists, are sophisticated means of communication with which they have been supplied by the intelligence agents of foreign countries with the aim of supporting terrorism and undermining stability in Syria and encouraging armed rebellion against the State. Those agents have helped to facilitate the setting up of armed ambushes in which innocent people are killed, and concealment from anti-terrorism forces.

Ever since events began, the Syrian Arab Republic has taken extreme and unremitting care to share with the Secretary-General its official position on those events, and has repeatedly noted that the presence of those foreign-supported terrorist groups threatens the security and safety of Syrian citizens. We therefore find it strange that those groups have never been mentioned in any of the statements made by the Secretary-General, or in any of the statements, comments and releases issued by the official spokesman on behalf of the Secretary-General or the press office, regardless of our fruitlessly repeated references to the matter.

We draw your attention to the danger of ignoring the acts of armed violence, which have recently become more frequent, that are being carried out by terrorist groups in Syria against both State institutions and Syrian civilians. We note the importance of clearly and unequivocally condemning the acts of violence that are perpetrated by armed terrorist groups in Syria, including the two suicide attacks that were referred to above. The foreign support that is given to those terrorists and the accompanying media and political warfare should no longer be ignored. We underline the fact that the lack of such condemnation has encouraged the armed terrorist groups in Syria, and prompted them to escalate their attacks and murderous operations against civilians and soldiers on the understanding that lack of comment on their undertakings is tantamount to international complicity in their continuation. Here, we should like to mention that such silence is the usual response to the attacks that are being carried out by the so-called "Free Syrian Army", which is effectively a front for an armed terrorist group that is carrying out attacks on Syrian State institutions and Syrian civilians from the territory of a neighbouring State with the knowledge of the Secretary-General and the members of the Security Council. Those attacks include the seizure of seven Syrian aircraft and three technical officers who were returning to their homes: the group has officially and publicly claimed responsibility for those attacks, as well as for blowing up passenger trains, railway lines, and oil and gas pipelines and an attack on the oil refinery in Homs.

Against that background, we should like to note that it has become clear to all that the more Syria promulgates new laws and takes genuine reform measures, and the more the security situation improves on the ground and Syria expresses its readiness to cooperate and its openness to efforts aimed at assisting Syria to resolve the current crisis in the country, the more foreign political and media pressure intensifies and the greater foreign efforts are to intervene in the internal affairs of Syria and the operations of armed groups increase. This became clear after Syria had signed the protocol covering the legal position and duties of the League of Arab States observer delegation which was signed by the Syrian Arab Republic and the General Secretariat of the League of Arab States and concerned follow-up to developments in the situation in Syria. That delegation did indeed arrive in Damascus, whereupon there was an escalation in efforts to undermine stability and terrorize the population, by means of terrorist attacks against State institutions, the army and Syrian civilians. The most recent of those attacks were the suicide bombings in Damascus, which caused the death of many Syrian citizens and great material damage.

The Syrian Arab Republic is determined to complete the promising programme of reform which it is currently in the full process of implementing, regardless of the presence of terrorist groups in receipt of foreign support which are undermining the security of the State and its citizens, and despite all the feverish foreign pressure and attempts to ensure the failure of that programme and intervene in our internal affairs by all possible means, including the boorish statements, that are inconsistent with the Charter of the United Nations, which have been made by certain heads of State and senior officials of major powers concerning Syria and its legitimate leadership, quite apart from the public statements that have been made by officials of Security Council member States, calling for the opposition to reject national dialogue and urging those who bear arms not to surrender their weapons and to continue their armed operations within the country against civilian and military targets. Here, I should like, with the deepest regret, to refer to the fact that the number of martyrs from the army and the forces of law and order exceeds 2,000. No mention is made of them in the statistics on the number of Syrian victims that senior Security Council officials hasten to establish and exaggerate in an emotive, whimsical and provocative manner, which are based on undocumented and biased sources.

In conclusion, the Syrian Arab Republic was expecting that the Secretary-General of the United Nations would lead the way in clearly and frankly condemning the terrorist attacks that are being perpetrated in Syria by armed terrorist gangs, the most recent of which took place in Damascus in the morning of Friday, 23 December 2011, particularly in view of the fact that the President of the Security Council, the Permanent Representative of the Russian Federation, issued a press release on behalf of the Council in which he unequivocally condemned those attacks.

It would be highly appreciated if the present letter could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Permanent Representative
of the Syrian Arab Republic to the United Nations

United Nations S/2011/797*

Security Council

Distr.: General
27 December 2011
English
Original: Arabic

Identical letters dated 23 December 2011 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the following information:

On the morning of Friday, 23 December 2011, the capital of Syria, Damascus, was subjected to two terrorist attacks that were perpetrated by two suicide bombers in two booby-trapped cars carrying more than 200 kilograms of explosives. The targets of the attacks were two Government institutions located in areas where there were many passers-by. More than 50 persons were martyred, including soldiers and innocent civilians, and more than 200 were wounded. Buildings in the vicinity, including an orphanage, sustained damage, as did passing and stationary vehicles: there were therefore extensive material losses.

Those two terrorist suicide explosions constitute a new escalation that affirms the involvement of Al-Qaida in the events that are taking place in Syria. There are clear indications that extremist terrorist groups, some of which are linked to Al-Qaida, were involved in the planning and implementation of terrorist operations that have recently targeted civilians, soldiers and State institutions in Syria. Information is circulating about extremist Libyan elements that belong to Al-Qaida who have entered Syria through its borders with neighbouring countries. That information has been confirmed in the course of field investigations that have been carried out by major international media and by public statements made by the leaders of those elements, which have been broadcast by the media. Furthermore, in a statement on 20 January 2011, the Minister of Defence of Lebanon confirmed reports of operations to smuggle into Syria arms and certain terrorist elements that belong to Al-Qaida, who claimed to be from the Syrian opposition. Those movements took place through illegal crossing points between Lebanon and Syria and, in particular, in the Irsal region on the Lebanese border.

The Permanent Mission of the Syrian Arab Republic to the United Nations has scrupulously continued to update you, by means of several letters, official statements and bilateral meetings held by the Permanent Representative of Syria to the United Nations, on the comprehensive reform programme that is currently being implemented in Syria. We have also affirmed that terrorist groups are taking

* Reissued for technical reasons on 16 January 2012.

advantage of the demands for reform legitimately being made by the Syrian people, to which the Syrian leadership has made a direct response in the form of the ongoing reform programme. We have made it clear that there is documented evidence of foreign attempts to undermine stability and security in Syria, particularly through the provision of money, arms and media and logistical support to those armed terrorist groups that abduct and kill citizens, rape women, plant explosives on roads and in densely populated areas, obstruct public highways and randomly strafe public and private institutions with rocket-propelled grenades. That has emerged in the course of the interrogation of many of the persons who have been apprehended for smuggling arms into Syria, as has the existence of organized networks that smuggle arms across the borders to terrorists within Syria. Those terrorists have received enormous quantities of arms from agents, funders and smugglers in certain neighbouring States. We notified you to that effect in the letter we addressed to you on 12 November 2011, to which were annexed lists of the names and nationalities of the aforementioned persons and the type and quantity of arms with which they were apprehended. That letter was issued as document S/2011/707, and in Annex II thereto, we noted that one of the most important sources of support for the armed terrorist gangs in Syria, as uncovered in the course of the pursuit of terrorists, are sophisticated means of communication with which they have been supplied by the intelligence apparatus of foreign countries with the aim of supporting terrorism and undermining stability in Syria and encouraging armed rebellion against the authority of the State. Those agents have helped to facilitate the setting up of armed ambushes in which innocent people are killed, and concealment from anti-terrorism forces.

Ever since events began, the Syrian Arab Republic has taken extreme and unremitting care to share with the Secretary-General its official position on those events, and has repeatedly noted that the presence of those foreign-supported terrorist groups threatens the security and safety of Syrian citizens. We therefore find it strange that those groups have never been mentioned in any of the statements made by the Secretary-General, or in any of the statements, comments and releases issued by the official spokesman on behalf of the Secretary-General or the press office, regardless of our fruitlessly repeated references to the matter.

We draw your attention to the danger of ignoring the acts of armed violence, which have recently become more frequent, that are being carried out by terrorist groups in Syria against both State institutions and Syrian civilians. We note the importance of clearly and unequivocally condemning the acts of violence that are perpetrated by armed terrorist groups in Syria, including the two suicide attacks that were referred to above. The foreign support that is given to those terrorists and the accompanying media and political warfare should no longer be ignored. We underline the fact that the lack of such condemnation has encouraged the armed terrorist groups in Syria, and prompted them to escalate their attacks and murderous operations against civilians and soldiers on the understanding that lack of comment on their undertakings is tantamount to international complicity in their continuation. Here, we should like to mention that such silence is the usual response to the attacks that are being carried out by the so-called "Free Syrian Army", which is effectively a front for an armed terrorist group that is carrying out attacks on Syrian State institutions and Syrian civilians from the territory of a neighbouring State with the knowledge of the Secretary-General and the members of the Security Council. Those attacks include the assassination of seven Syrian pilots and three technical officers who were returning to their homes: the group has officially and publicly

claimed responsibility for those attacks, as well as for blowing up passenger trains, railway lines, and oil and gas pipelines and an attack on the oil refinery in Homs.

Against that background, we should like to note that it has become clear to all that the more Syria promulgates new laws and takes genuine reform measures, and the more the security situation improves on the ground and Syria expresses its readiness to cooperate and its openness to efforts aimed at assisting Syria to resolve the current crisis in the country, the more foreign political and media pressure intensifies and the greater foreign efforts are to intervene in the internal affairs of Syria and the operations of armed groups increase. This became clear after Syria had signed the protocol covering the legal position and duties of the League of Arab States observer delegation which was signed by the Syrian Arab Republic and the General Secretariat of the League of Arab States and concerned follow-up to developments in the situation in Syria. That delegation did indeed arrive in Damascus, whereupon there was an escalation in efforts to undermine stability and terrorize the population, by means of terrorist attacks against State institutions, the army and Syrian civilians. The most recent of those attacks were the suicide bombings in Damascus, which caused the death of many Syrian citizens and great material damage.

The Syrian Arab Republic is determined to complete the promising programme of reform which it is currently in the full process of implementing, regardless of the presence of terrorist groups in receipt of foreign support which are undermining the security of the State and its citizens, and despite all the feverish foreign pressure and attempts to ensure the failure of that programme and intervene in our internal affairs by all possible means, including the boorish statements, that are inconsistent with the Charter of the United Nations, which have been made by certain heads of State and senior officials of major powers concerning Syria and its legitimate leadership, quite apart from the public statements that have been made by officials of Security Council member States, calling for the opposition to reject national dialogue and urging those who bear arms not to surrender their weapons and to continue their armed operations within the country against civilian and military targets. Here, I should like, with the deepest regret, to refer to the fact that the number of martyrs from the army and the forces of law and order exceeds 2,000. No mention is made of them in the statistics on the number of Syrian victims that senior Security Council officials hasten to establish and exaggerate in an emotive, whimsical and provocative manner, which are based on undocumented and biased sources.

In conclusion, the Syrian Arab Republic was expecting that the Secretary-General of the United Nations would issue an unequivocal condemnation of the terrorist attacks that are being perpetrated in Syria by armed terrorist groups, the most recent of which took place in Damascus in the morning of Friday, 23 December 2011, particularly in view of the fact that the President of the Security Council, the Permanent Representative of the Russian Federation, issued a press release on behalf of the Council in which he unequivocally condemned those attacks.

It would be highly appreciated if the present letter could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Permanent Representative
of the Syrian Arab Republic to the United Nations